

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CRIMINAL CASE NO. 1:15-cr-00081-MR-DLH**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARK SCHMIDT,

Defendant.

IN RE: PETITION OF PAUL SCHMIDT.

ORDER

THIS MATTER is before the Court on the Petition of Paul Schmidt [Doc. 28].

The Petitioner's Petition, as filed, is not signed under penalty of perjury as required by 21 U.S.C. § 853(n)(3). The Petition further fails to set forth "the time and circumstances of the petitioner's acquisition of the right, title or interest" in each property. See 21 U.S.C. § 853(n)(3). Accordingly, on January 19, 2016, the Court entered an Order directing the Petitioner Paul Schmidt to file an Amended Petition signed under penalty of perjury within thirty (30) days. [Doc. 30]. The Petitioner was specifically warned that

“failure to file an amended petition in the time required will result in the dismissal of his petition.” [Doc. 30 at 3].

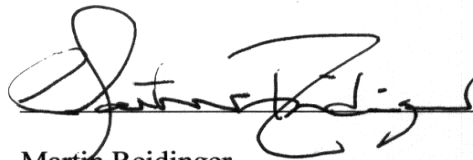
More than thirty (30) days have passed, and the Petitioner has not filed an Amended Petition. Accordingly, the Petition is hereby dismissed.

IT IS, THEREFORE, ORDERED that the Petition of Paul Schmidt is hereby **DISMISSED**.

The Clerk of Court is directed to provide copies of this Order to counsel for the Government and the *pro se* Petitioner Paul Schmidt.

IT IS SO ORDERED.

Signed: February 23, 2016


Martin Reidinger
United States District Judge

